

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

CLEO BROOKS, JR.

§

v.

§

CIVIL ACTION NO. 9:11CV30

JOHN E. POTTER

§

ORDER ADOPTING REPORT AND  
RECOMMENDATION OF UNITED STATES  
MAGISTRATE JUDGE

The Report and Recommendation of the Magistrate Judge, which contains her findings, conclusions, and recommendation for the disposition of this case has been presented for consideration. The Report and Recommendation recommends that Plaintiff's Motion to Dismiss (document [#21](#)) be granted and that the above-styled lawsuit be dismissed without prejudice. No written objections have been filed. The Court therefore adopts the findings and conclusions of the Magistrate Judge as those of the Court.

In light of the foregoing, it is

**ORDERED** that Plaintiff's Motion to Dismiss (document [#21](#)) is **GRANTED** and the above-styled lawsuit is **DISMISSED** without prejudice. Any motion not previously ruled on is **DENIED**.

So **ORDERED** and **SIGNED** this **27** day of **October, 2011**.



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Ron Clark, United States District Judge